

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

MOJISOLA AFOLABI, ELEANOR)	
KILLI, DAVID ONASILE & OLAYIDE)	
WILLIAMS; OLUKEMI AKANJI)	
)	
PLAINTIFFS,)	Civil Action No. 14-191-M
)	
v.)	
)	
LIFESPAN CORPORATION & RHODE)	14-320 M
ISLAND HOSPITAL,)	
)	
DEFENDANTS.)	
)	
)	

**MEMORANDUM IN SUPPORT OF
MOTION TO WITHDRAW AS PLAINTIFFS' COUNSEL**

Now comes Attorney Stephen T. Fanning, counsel to the Plaintiffs in the above-captioned matter and submits this Memorandum in Support of his Motion to Withdraw as counsel for Plaintiffs' Mojisola Afolabi; Eleanor Killi; David Onasile and Olukemi Akanji.

In or about August 2013, the undersigned counsel was retained by the Plaintiffs to prosecute a claim on their behalf for, *inter alia*, alleged discrimination based on race/color/national origin allegedly perpetrated by their employer, the above-referenced Defendants, in violation of Title VII of the Civil Rights Act of 1964, and other state and federal statutes. Plaintiff Olukemi Akanji also asserted certain claims based on her medical leave status.

On September 6, 2013, the undersigned attorney filed Charges of Discrimination of behalf of Plaintiffs Afolabi, Killi and Onasile with the RI Human Rights Commission and the Equal Employment Opportunities Commission. He filed a Charge of Discrimination on behalf of Plaintiff Akanji with the RI Human Rights Commission and the Equal Employment Opportunities Commission on October 24, 2013. He subsequently

filed a Complaint in the United States District Court for the District of Rhode Island on behalf of co-Plaintiffs Afolabi; Killi; Onasile and a fourth Plaintiff, Olayide Williams. Mr. Williams has resolved his claims against the Defendant. The undersigned Counsel filed a separate Complaint in the United States District Court for the District of Rhode Island on behalf of Olukemi Akanji. The actions were subsequently joined.

The undersigned Counsel, despite his zealous and best efforts to represent these Plaintiffs, has been prevented from effectively communicating with them regarding significant case processing issues, trial strategy and other pertinent matters bearing on their case. Despite the undersigned Counsel's good faith efforts to communicate with the Plaintiffs, there has been a breakdown of communication. Despite Counsel's request for the participation of Plaintiffs in the processing of their case, there has been virtually no meaningful response or communications from the Plaintiffs.

The undersigned Counsel has worked diligently to process the Plaintiffs' claims, conducting approximately 16 depositions, thorough written discovery on their behalf and working cooperatively with Defendants' counsel to accomplish positive and reasonable resolutions to these matters. Counsel has also represented Plaintiffs during the course of two settlement conferences before Magistrate Judge Lincoln Almond and the Presiding Judge. Despite his repeated efforts, at this point, the undersigned Counsel is unable to communicate with the Plaintiffs in any effective or productive manner.

It is the undersigned attorney's understanding that the Plaintiffs have been consulting with other "counsel," the identify of whom the Plaintiffs will not disclose but whose advice and direction to the Plaintiffs, while clearly improper, has caused an irreparable erosion in the relationship between the undersigned Counsel and his Clients. This has impacted the ability of the undersigned to effectively advise the Plaintiffs as to the law bearing on their claims and to the benefits and burdens of various case processing strategies.

The undersigned, despite his best efforts, has been unsuccessful in resolving any issues regarding the matter of his representation of the Plaintiffs. Plaintiffs have been informed on several occasions that, absent active and meaningful cooperation with Counsel, the undersigned would be compelled to file a motion to withdraw. Rather than improve, the Plaintiffs' commitment to active participation in their cases, and communication with their Counsel, has consistently diminished.

Therefore, the undersigned Counsel respectfully requests permission to withdraw as the Plaintiffs' Counsel.

A HEARING IN THIS MATTER IS REQUESTED.

Respectfully Submitted,
Counsel for the Plaintiffs,
/s/ Stephen T. Fanning

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Certification

I hereby certify that a true copy of the above was filed with the Court on this 26th day of June, 2018 through the Court's ECF system, a copy sent to all counsel of record through that system and to all Plaintiffs as follows:

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